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Dkt. 57477-A-PCT-US/JPW/MVM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas M. Jessell et al.
Serial No.: 09/820,598
Filed : March 29, 2001
For : GENE ENCODING MNR2 AND USES THEREOF

1185 Avenue of the Americas
New York, New York 10036
December 2, 2002

U.S. Patent and Trademark Office
BOX: Sequence
P.O. Box 2327
Arlington, VA 22202

Sir:

**COMMUNICATION IN RESPONSE TO OCTOBER 1, 2002 NOTICE TO
COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

This Communication is submitted in response to an October 1, 2002 Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures issued by the United States Patent and Trademark Office in connection with the above-identified application. A copy of the Notice is attached hereto as Exhibit A. The Notice provides a two-month period for filing a response. Therefore, a response to the October 1, 2002 Notice is due December 1, 2002. However, since December 1, 2002 is a Sunday, a response on the next succeeding day which is not a Saturday, Sunday or Federal holiday, i.e. Monday, December 2, 2002, is considered timely under 37 C.F.R. §1.7. Accordingly, this Communication is being timely filed.

REMARKS

The October 1, 2002 Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid

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Sequence Disclosures states that a copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. §1.821(e).

The Notice states that applicants must provide: 1) an initial computer readable form (CRF) copy of the "Sequence Listing"; and 2) a statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing and, where applicable, includes no new matter, as required by 37 C.F.R. §1.821(e) or §1.821(f) or §1.821(g) or §1.825(b) or §1.825(d).

In response, applicants, without conceding the correctness of the Examiner's position but to expedite prosecution of the subject application, enclose a computer diskette containing the sequence listing in computer readable form. Applicants attach hereto as Exhibit B a Statement in Compliance with 37 C.F.R. §1.821(f) certifying that the computer readable form contains the same information as the paper copy of the sequence listing, and that the sequence listing does not contain any new matter. Applicants note that they submitted the paper copy of the sequence listing to the United States Patent and Trademark Office on August 10, 2001 as part of a Communication in Response to June 12, 2002 Notice to File Missing Parts of Application - Filing Date Granted.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

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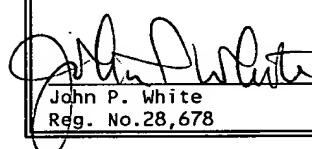
No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, BOX: Sequence, P.O. Box 2327, Arlington, VA 22202.



John P. White
Reg. No. 28,678

12/2/02
Date



Commissioner for Patents
Washington, DC 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/820,598	03/29/2001	Thomas M. Jessell	57477-A-PCT- US/JPW/SHS/MV

CONFIRMATION NO. 5690

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FORMALITIES LETTER



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Date Mailed: 10/01/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Filing Date Granted

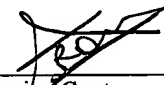
Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*


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